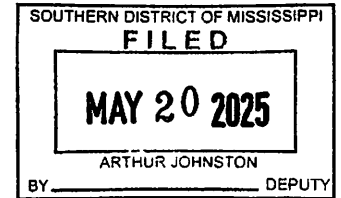


IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION



HON. ADAM DUVALL DAVIS, SR., U.S. NAVY VETERAN

PLAINTIFF

v.

Civil No. 1:25-cv-00039-LG-BWR

HON. WILLIAM TISDALE, *in his individual and official capacities*;
CITY OF BILOXI, MISSISSIPPI;
HON. CARTER BISE, *in his individual and official capacities*;
and OTHER UNNAMED DEFENDANTS

DEFENDANTS

MOTION FOR RULING ON PENDING OBJECTION TO REPORT AND
RECOMMENDATION OR, IN THE ALTERNATIVE, TO EXPEDITE RULING
AND MOTION FOR EMERGENCY PROTECTIVE ORDER

COMES NOW Plaintiff, Hon. Adam Duvall Davis, Sr., pro se, and respectfully moves this Court for a ruling on Plaintiff's Objection to the Report and Recommendation of Magistrate Judge Bradley W. Rath (ECF No. 6), which has been pending since April 3, 2025. Plaintiff filed his Objection pursuant to Rule 72(b)(2) and 28 U.S.C. § 636(b)(1)(C), on April 10, 2025 (ECF No. 7), and more than thirty (30) days have passed without a ruling or update.

As further support, Plaintiff attaches his previously drafted "NOTICE OF DELAY AND REQUEST FOR STATUS" as Exhibit A. Plaintiff respectfully requests that the District Judge either:

1. Issue a ruling on Plaintiff's pending Objection (ECF No. 7), or
2. Expedite resolution or provide notice of expected timeframe under Local Rule 7(b)(6).

FURTHERMORE, in light of the serious and continuing threats to the safety and wellbeing of Plaintiff's minor child, Kyonosuke, and his other children, Plaintiff respectfully moves this Court to issue an EMERGENCY PROTECTIVE ORDER or TEMPORARY INJUNCTIVE RELIEF pending resolution of this civil action.

The prior Domestic Abuse Protection Order (DAPO) issued by Biloxi Municipal Court was unlawfully dissolved without notice or hearing, contrary to Miss. Code Ann. § 93-21-15(2), and without regard to the ongoing danger posed by Ami Tsumanuma and Vaughn Gill. Since its improper dissolution, Plaintiff and his children have faced repeated incidents of confrontation

and threats, including violations of standing court orders. This Court has inherent authority to preserve the status quo and to prevent imminent irreparable harm.

Plaintiff therefore requests that the Court:

1. Reinstate the protections originally contained in the DAPO as a temporary measure; or
2. Issue a new emergency protective order under federal equitable authority to prevent Ami Tsumanuma Davis and Vaughn Gill from having contact or proximity to Plaintiff and his minor children during the pendency of this case.

WHEREFORE, Plaintiff prays for the following relief: (a) A ruling on Plaintiff's Objection to the Report and Recommendation (ECF No. 7); (b) An expedited ruling or scheduling notice on said Objection; (c) Immediate issuance of an Emergency Protective Order as outlined above; and (d) Such other and further relief as this Court deems just and proper.

Respectfully submitted,



/s/ Hon. Adam Duvall Davis, Sr.

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Date: May 13, 2025